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Via ECF and E-Mail to ForrestNYSDChambers@nysd.uscourts.gov

Hon. Katherine B. Forrest, U.S.D.J.
UNITED STATES DISTRICT COURT
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

**Re: Franco vs. Allied Interstate LLC f/k/a Allied Interstate, Inc.
S.D.N.Y. Case No. 1:13-cv-04053-KBF**

Dear Judge Forrest:

We represent Defendant Allied Interstate LLC in the above-captioned matter and write, pursuant to Your Honor's Order dated November 19, 2015 [Dkt. 98], to advise the Court that Defendant prefers that the Court postpone issuance of its decision on Defendant's motion to enter judgment until after the United States Supreme Court issues its decision in *Campbell-Ewald Co. v. Gomez*, 135 S. Ct. 2311 (2015). Because the decision in *Gomez* could shed light on the issues raised in Defendant's motion, we believe that staying this action pending the issuance of the decision will represent the optimal use of the Court's and the parties' time and resources.

Of course, since the decision in *Gomez* has not yet been rendered, Defendant's position is without prejudice to any arguments Defendant may ultimately have as to the binding nature of the decision on the specific facts of the instant action, all of which are expressly reserved.

We thank the Court for its attention to this matter.

Respectfully,

/s/ Casey Laffey

cc: All Counsel of Record via ECF and E-Mail